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AUTHOR Adkins, Donna
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ABSTRACT

Within the last decade, the neighboring states of Kentucky and West Virginia have realized the need for--and have acted upon--school reform measures in their educational systems. This document compares and contrasts the two states' efforts to restructure their school systems. Both Kentucky and West Virginia initiated their respective reform movements as the result of legal action. Additionally, both states' supreme courts declared the conditions of their school operations unconstitutional; thus Kentucky and West Virginia each began the laborious process of educational reform. In West Virginia, school restructuring began in 1979 as the result of the "Pauley versus Kelly" case, but educational reform did not begin in Kentucky until 1985 after the "Rose versus the Council for Better Education" suit. Inquiries have revealed that unequal distributions of resources for education based on uneven property tax assessments and rates caused each state's statewide educational inequalities. Additionally, both states have used the "top-down" method of educational reform. The Kentucky and the West Virginia school restructuring processes have differed in the roles of each states' governor, the influence of individual judges, and financial support. (20 references) (KM)

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Neighbors in Reform:
A Comparison and Contrast
of Kentucky and West Virginia School Reform

by
Donna Adkins

presented to
Dr. Richard Hartnett

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West Virginia University
Morgantown, West Virginia

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Within the last decade, the neighboring states of Kentucky and West Virginia have both realized the need for and acted upon school reform measures in their educational systems. The comparisons (similarities) and contrasts (differences) of the reform efforts of these two states will be the topic of this paper.

Perhaps a word should be said regarding the timing of this paper. The writing of such a paper might seem a bit premature since Kentucky reform is really just beginning, but enough has been accomplished to draw some conclusions concerning reform background and process. However, some comparisons and contrasts will embody what West Virginia has accomplished up to this point and what Kentucky plans to do (including speculative predictions).

Before speaking specifically to school reform in these two states, the author will provide a brief review of national school reform which will provide a broad base of information within which the two states' efforts might be better understood.

An explanation of concern about the quality of American education erupted in the early 1980s and has continued throughout the decade. In 1983 the publication A Nation At Risk by the National Commission on Excellence in Education tied deteriorating educational standards to our ability to compete in international economics. (As an aside, it is interesting to note that West Virginia school reform measures preceded by several years the publication of this report).

This continued political tie between quality education and our national economic growth has kept education near the top of political agendas to the present time. Unfortunately, this sustained interest has not amounted to any fundamental restructuring of education organizations (Wirt & Kirst, 1989)

A recent example of continued school reform was demonstrated by the Education Summit held September, 1989, in Charlottesville, Virginia. This summit, attended by President Bush and the nation's state governors, represented an effort to rescue the troubled schools of America (Mitgang, 1989).

The former president of the National Education Association, Mary Futrell, agrees that the 1980s has not been a decade of reform, but rather one of debate. She has delineated our nation's concern for education reform into several waves of efforts:

1. First Wave (1983-1985) - Education was viewed as "in the service of" national interest. Reform emanated not from the schoolhouse, but from the statehouse. State legislators enacted more than 700 statues stipulating what should be taught, when it should be taught, how it should be taught, and by whom it should be taught. Reaction to this unrealistic "top-down" effort ushered in the second reform wave.
2. Second Wave (1986) - This reform action represented a move to a focus on local schools, local educators, and local communities. These reforms brought together teachers,

principals, superintendents, school boards, parents, and business and community leaders in collaborative efforts to renew and improve their schools. Equity joined excellence in discussion of reform. However, the legacy of the first wave (emphasis on education as a utilitarian rather than an intrinsic value) continued to shape subsequent reform.

3. Third Wave - In this wave the United States economy became the focus; economic imperatives took the place of legislative mandates. The business of education was to serve business. This myopic view helped parent the next reform.
4. Fourth Wave - This reform movement is viewed as possessing democratic grassroots. Education is defined as possessing both instrumental and intrinsic value; intrinsic value being defined as the virtues of emotional resilience, mental agility, moral stamina, and creative savvy. Schools must offer both excellence and equity (Futrell, 1989).

School reform is rampant, both in number and diversity. Many present-day efforts can fit into wave measures that Ms. Futrell has categorized as past reforms; however, her fourth wave seems better suited as a future goal rather than a reality. Regardless of her time order of reform, a clear picture of kinds of reform emerge[5] from her ideas and provide a backdrop of school reform in a national context.

We can now shift from a national overview to a closer look at the two states which are being studied - Kentucky and

West Virginia.

It is difficult to analyze school reform measures without analyzing the settings in which they occur. Therefore, some physical and demographic factors which affect education in the two states is listed in Table I below.

TABLE I

Physical and Demographic Factors

	Kentucky	West Virginia
Land Area	40,409 sq. mi.	24,231 sq. mi.
Population (1986) (U.S. Dept. of Commerce)	3,727,000	1,950,258
Number of Counties	120	55
Economic Base	Manufacturing, gvt, wholesale & retail trade, service industries, & construction.	Manufacturing, services, & tourism.
Important Resources	Coal, water, & farmland	Coal, water, gas, oil, farmland, & pasture
Ethnic Percentages	White (92%) Black (7%) Other (1%)	White (96%) Black (3.5%) Other (0.5%)
Largest Cities (1980)	Louisville- 298,694	Charleston- 63,968

	Lexington- 204,165	Huntington- 63,684
Highway Systems	Five interstates and several inter-city toll roads called parkways	Several inter-state highways
Terrain	Eroded, low plateaus	Forested hills and mts. narrow valleys

(New Standard Encyclopedia, 1989)

The following tables depict a listing of some salient variables concerning education factors in each state.

TABLE II

Factors Influencing Education

	Kentucky	West Virginia
1. Per capita income (1)	$8,164	$8,242
2. % of people below poverty level in 1979 (1)	17.6	15
3. % of economically deprived children (2)(7)	39.3	42
4. Per pupil expenditure ADA 1987-88 (2) (5)	$2,574	$3,350
5. % of districts below $2500 per pupil	33	26

	expenditure 1987-88 (3) (6)		
6.	% of revenue from local sources 87-88 (2) (5)	23.4	27.8
7.	% of revenue from state sources 87-88 (2) (5)	65.9	63.4
8.	% of revenue from federal sources 87-88 (2) (5)	10.7	8.8
9.	Annual salary of teachers 87-88 (2) (5)	$24251	$21736
10.	% of teachers with Masters Degree & above 87-88 (4) (8)	80	46
11.	Pupil/Teacher ratio 87-88 (2) (5)	18:1	15:1
12.	Dropout rate 87-88 (4) (8)	32	17.4

Numbers in parentheses refer to the following sources:

(1) U.S. Department of Commerce, 1988

(2) Kentucky Department of Education, 1988

(3) Quality Education Data for Kentucky, 1988

(4) Ball, 1989

(5) Phone interview with Sharon Lewis, West Virginia State Department of Education, School Finance Division, 1989

(6) Quality Education Data for West Virginia, 1988

(7) Information from Harriet Deal, West Virginia State

Department of Education, Division of Child Nutrition, 1989

(8) West Virginia Department of Education's School Report Card, 1989

TABLE III

STATE TEST DATA

	Kentucky	West Virginia
State test data for 1988/89 school year for total basic skills score reported in percentile.	3rd - 50 CTBS/4 5th - 54 CTBS/4 7th - 52 CTBS/4 10th - 55 CTBS/4 (Ky Dpt of Ed, 89)	3rd - 58 CTBSU 6th - 59 CTBSU 9th - 46 CTBSU 11th - 49 CTBSU (WV Testing Prog 1989)
ACT Scores	18.2 (Ball, 1989)	17.6 (WV Dpt Ed, 89)

Just as Kentucky and West Virginia are similar and different in many areas as illustrated by the previous tables, so have been their school reform efforts. An attempt will be made to analyze comparisons and contrasts between the two states' endeavors to improve their education systems. Comparisons, or similarities, will be studied first.

In both states, reform action was instigated by similar legal action. In West Virginia, the 1979 Pauley vs. Kelly (later Pauley vs. Bailey) case set forth the allegation that

educational opportunities and offerings were not equal for public school students (Sanders & Meehan, 1982). In 1985 in Kentucky, a suit (Rose vs. the Council for Better Education) representing 66 rural and poor school districts and 22 individual students alleged similar circumstances (Pipho, 1989). Thus, reform measures were initiated by legal force on authoritative entities, rather than by those initiating the measures themselves. Surely, in both states these conditions of inequality and discriminatory standards were not secrets; even a cursory examination would have revealed such. For whatever the reason, these inequalities existed until someone or some organization had to take action or face legal consequences.

The constitution of each state describes similar state responsibility for education. The West Virginia Constitution charges the state to provide a "thorough and efficient" education system (Sander & Meehan, 1982). Section 183 of the Kentucky Constitution directs the General Assembly to provide an "efficient system of common schools throughout the state" (Pipho, 1989). This state view of education as a fundamental right contrasts with the federal view of education as a fundamental interest (Guthrie, 1983), which is usually considered under the 10th Amendment to the United States Constitution as a "reserved" power of the state (Wirt & Kirst, 1989).

In like manner, the Supreme Courts of both Kentucky and West Virginia declared the education systems (Kentucky's

whole system, West Virginia's financing system) were acting in an unconstitutional manner since they failed to provide education in the manner outlined in their respective constitutions. Education inequities were shown to exist. What were the causes of such inequity?

In both states, unequal county tax bases, appraisal rates, and appraisal methods concerning property tax have resulted in wide discrepancies in local financial support for schools which subsequently means varying amounts spent per child from district to district. This unequal distribution of financial support results in unequal resources (both human and material) for educating students. To achieve financial parity among districts, appraisal rates and assessment methods must become uniform; in addition, additional resources must be provided to property poor districts. Millions of additional dollars are required to uniformly fund education and its support services in both states. Thus far, West Virginia has provided only limited additional funding; one can only speculate on what Kentucky will do. Finding additional revenue to support school reform in these two economically depressed states is certainly an area of grave concern and challenge for the state legislatures. Both states are then similar in both the unequal distribution of education resources and the need to acquire new monies for schooling.

In West Virginia the Pauley vs. Bailey case resulted in the "Recht Decision" (named after the presiding judge,

Circuit Court Judge Arthur Recht) mandated quality standards in the areas of finance, curriculum, personnel, transportation, facilities, equipment, and materials. It was a decision that addressed every conceivable aspect of the schools (Hazi, 1989). Since the Kentucky Supreme Court decision has declared the Kentucky education system, as a whole, unconstitutional, this allows the state to evaluate every component and decide upon effective alternatives (Ball, 1989). Thus, the two states appear similar in the opportunity to establish broad and far-reaching reform measures.

As a result of the Recht Decision, the Master Plan was developed to implement the standards set forth. A proliferation of West Virginia State Board of Education policies (2510, 2320, 2321, 5100, 2100, etc.) have been enacted to implement the Master Plan. Also in 1988 the Omnibus Education Bill (Senate Bill 14) was developed by the West Virginia State Legislature to impact on many areas of schooling, from the way the state finances education to criterion-referenced state testing with competency standards to transitional kindergarten programs. It seems reasonable to predict that the Kentucky State Board of Education and the General Assembly will also develop and implement a profusion of standards, policies, and guidelines for proposed school reforms. In fact, a Council on School Performance Standards has already been formed to determine competencies at certain educational points and to decide on assessment of student

knowledge and performance (Ball, 1989). It then seems likely that another comparison will be the development of education standards, policies to implement them, and means to assess progress toward attaining them.

The most disturbing comparison of school reform in both states has been "top-down" reform, originating at the state level and filtering down to the local level.

Such reforms imposed from above ignore and even contradict research on organizational effectiveness, which means they have a high potential for failure (Wirt & Kirst, 1989).

In West Virginia, teachers and students (mainly at the elementary level) were greatly affected by school reforms while having very little input into the mandates and policies. Reforms came down from above by poor communication techniques with little rationale for proposed changes. Reform was "done to teachers and students", not "by them" or "with them".

In Kentucky, one disturbing sign of educator non-participation is seen in the fact that there are no educators on the 30 member task group which is looking at school reform options (Ball, 1989). In recent conversations with two Kentucky educators, concern was expressed by them for the apparent exclusion of educators in their state's reform planning.

Paper reform is one thing; actual reform is another. If teachers and other affected personnel are not involved in

structuring educational reform, will they act according to it? Will reform be accepted in word but not in deed? These pertinent questions should be considered by reform planners.

The previous pages have illustrated comparisons of school reforms in the two states; the following pages will provide a contrast of reform efforts.

The time frames of the reforms are different. In West Virginia, the court case which initiated the reform movement was filed in 1975, appealed in 1979, and produced a court decision in 1982; thereafter, it has been a source of various mandates and policies by the State Board of Education, the State Department of Education, and the State Legislature which seek to improve education in the state.

In Kentucky similar court action in 1985 was the catalyst for reform. From 1985 to 1986, Governor Martha Collins and the General Assembly attempted to implement a broad reform program which would refine in a more realistic way existing educational programs. The next Governor, Wallace Wilkinson, wanted to restructure the education process and simply reallocate budget appropriations at the existing funding level. This conflict between the General Assembly and Governor Wilkinson stalled any reform measures (Ball, 1989).

In May, 1988, a circuit court ruled for the plaintiffs in the 1985 Rose vs. the Council for Better Education. In June, 1989, the Kentucky Supreme Court upheld the lower court's decision and further declared that the schools were operating

in an unconstitutional manner. The General Assembly was given the sole responsibility to provide an efficient system of schools; since June, 1989, it has been constructing committees and panels, conducting research, and tapping outside resources to hastily develop some school reform measures in preparation for its January, 1990, session (Walker, 1989). It appears that Kentucky is trying to do more in less time than West Virginia; but it also appears that West Virginia recognized the need for reform first.

Technically, the Supreme Court decisions in both states were different. The West Virginia court decision struck down only the financial aspects of the state's education system (even though it had a domino effect on many other areas) whereas the Kentucky court decision struck down the education system as a whole (Walker, 1989).

The roles that the state governors have played in school reform has differed between the two states. In West Virginia, leadership for school reform has not been provided by the governor. In fact, former Governor Rockefeller supported the West Virginia State Attorney General's suit challenging Judge Recht's power. The next governor Arch Moore, although verbally supporting education, produced little actual support. The present governor, Gaston Caperton, seems sincere in educational support, both verbally and financially; his short tenure in office, however, has not produced profound results. In contrast, Governors Collins and Wilkinson have been very active in school reform

(Wilkinson indeed may appear too active in the eyes of the General Assembly). Executive branch leadership in school reform has definitely differed between the two states.

Whereas West Virginia has, for the most part, relied on in-state talent and resources to plan school reform measures, Kentucky has sought experts from out-of-state to be instrumental in their planning. In July, 1989, six such experts met with Kentucky legislators to aid their three educational subcommittees to plan school reform (Jennings, 1989).

The extent of the influence of individual judges in the court cases also differ. Kentucky judges involved in cases pertinent to reform ruled on plaintiff/defendant judgments, declared unconstitutional conditions, and set forth a general criteria for the new system. Judge Arthur Recht declared unconstitutionality and issued a 244 page report mandating standards and educational prescriptions.

It appears that financial support for school reform also varies between the two states. Funds in West Virginia have been mainly redistributed, not increased, to implement school reform measures (Hazi, 1989). Ball (1989) speculates that a special Kentucky legislative session will be held after the regular session (which will be held in January, 1990) to enact new educational measures and the necessary funding to implement them.

In an effort to present concise illustrations of comparisons and contrasts in school reform in the two states,

the following lists might be helpful

COMPARISONS

1. Both initiated reform as a result of legal action.
2. Similar state education responsibility prescribed by state constitutions.
3. Supreme courts in both states declared unconstitutional conditions of school operations.
4. Unequal distribution of resources for education based on unequal tax assessment and rates pertaining to property taxes.
5. Need for additional monies to support reform.
6. Similar opportunity and latitude to bring about school reform.
7. Proliferation of standards and policies to implement reform measures.
8. Both states use "top-down" reform process.

CONTRASTS

1. Different time frames of reform.
2. Different breadth of unconstitutionality issue.
3. Governors' roles have varied.
4. In-state vs. out-of-state "expert" advice.
5. Influence of individual judges.
6. Contrasting financial support

In summary, this paper has attempted to present and discuss educational reform efforts in the states of Kentucky

and West Virginia using a comparison and contrast form of structure. There was not a conscious attempt on the part of the author to be judgmental; rather, a simple presentation of facts and events was the writer's goal.

Hopefully, by studying past events, we can better understand our present situation and decide on future actions. Perhaps the idea that those who do not learn from the mistakes of the past are doomed to repeat them should be both heralded and heeded in school reform.

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